

EXECUTIVE ORDER

05-16

September 6, 2005

EMERGENCY MANAGEMENT ASSISTANCE GULF STATES

WHEREAS, Hurricane Katrina has caused widespread damage, injury and loss of life and property within the States of Louisiana, Alabama, and Mississippi (the “affected States”); and

WHEREAS, as residents of the Ocean State, Rhode Islanders understand the destructive power of hurricanes and have a special empathy for all persons suffering as a result of this catastrophic storm; and

WHEREAS, on behalf of the residents of the State of Rhode Island, I express my deepest sympathies to all the victims of this terrible storm and hereby express our commitment to helping; and

WHEREAS, there has been declared a State of Emergency in each of the respective States and the health, safety, and resources of the people of the affected States are endangered; and

WHEREAS, the provisions of the Interstate Emergency Management and Disaster Compact and Emergency Management Assistance Compact (the “Acts”) permits the States of Rhode Island, Louisiana, Alabama and Mississippi (the “Party States”) to extend the same powers, duties, rights, and privileges as are afforded forces of the state in which they are performing emergency services; and permits the Party States to provide professional, mechanical, or other skills or assistance to render aid to respond to and mitigate damages resulting from an emergency or disaster such as Hurricane Katrina; and

WHEREAS, the affected States have or may extend law enforcement powers to Rhode Island law enforcement officers; and have or may request of the State of Rhode Island professional, mechanical or other skills or assistance; and

WHEREAS, the affected States have or may require the utilization of resources outside State government including local government and private assets; and

WHEREAS, the Constitution and statutes of the State of Rhode Island, particularly the provisions of Title 30 Chapter 15 of the Rhode Island General Laws and all amendments and supplements thereto, confer upon the Governor of the State of Rhode Island certain emergency powers.

NOW, THEREFORE, I, DONALD L. CARCIERI, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby ORDER and DIRECT as follows:

1. That in order to facilitate the safety and security of Louisiana, in accordance with the Acts, Sections 30-15-14 and 30-15.9 of Rhode Island General Laws that mutual aid has been requested of the State of Rhode Island and Rhode Island law enforcement officers to provide enhanced security within Louisiana and such officers have been granted all law enforcement powers while providing enhanced security within Louisiana.
2. That in order to facilitate the safety and security of the States of Alabama and Mississippi, in accordance with the Acts, Sections 30-15-14 and 30-15.9 of Rhode Island General Laws in the event that mutual aid is requested of the State of Rhode Island and Rhode Island law enforcement officers to provide enhanced security within Alabama and Mississippi that such officers shall be granted all law enforcement powers of the respective States to which they will be responding while providing enhanced security therein.
3. That in order to facilitate the safety and security of the affected States, in accordance with the Acts, Sections 30-15-14 and 30-15.9 of Rhode Island General Laws mutual aid to respond to and mitigate damages resulting from Hurricane Katrina may be requested of the 39 cities and towns of the State of Rhode Island by the Rhode Island Emergency Management Agency to provide assistance including but not limited to enhanced environmental, fire safety and law enforcement security within the affected States. Towns/cities agreeing to provide such mutual aid to the affected States shall do so in accordance with provisions of the Acts and this Order and agree to cooperate fully with the State Director of the Rhode Island Emergency Management Agency in all matters concerning this Order.

4. In order to facilitate the safety and security of the affected States while simultaneously ensuring that the State of Rhode Island continues to have the safety and security resources necessary to prepare for, prevent, respond to, and mitigate damages resulting from any man-made or naturally occurring emergency or disaster pursuant to Title 30 Chapter 15 of the Rhode Island General Laws, that no municipality, county or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.
5. In order to facilitate the safety and security of the affected States while simultaneously ensuring that the State of Rhode Island continues to have the safety and security resources necessary to prepare for, prevent, respond to, and mitigate damages resulting from any man-made or naturally occurring emergency or disaster pursuant to Title 30 Chapter 15 of the Rhode Island General Laws, that it shall be the duty of all State departments, agencies or quasi-state agencies and boards and commissions performing an executive function, to cooperate fully with the State Director of Emergency Management in all matters concerning this Order as such all State efforts to provide disaster relief to the affected States, including but not limited to provisions for housing those individuals that may be evacuated from the affected States to the State of Rhode Island shall be coordinated by and through the Rhode Island Emergency Management Agency.
6. In accordance with Rhode Island General Laws Section 30-2-6 the Adjutant General is directed, upon request by the affected States, to call to state active duty those guardsmen and women necessary to reinforce disaster relief organizations within the affected States in responding to and mitigating damages resulting from Hurricane Katrina, provided however that notice and regular updates are provided to my Office regarding any deployments.
7. In accordance with Title 30 Chapter 15 of the Rhode Island General Laws, the Rhode Island Emergency Management Agency is directed to provide my Office with notice and daily updates concerning the deployment of any state or local resources to assist in responding to and mitigating damages resulting from Hurricane Katrina.
8. This Order shall take effect immediately and shall remain in effect until terminated by subsequent Order.

9. If any provision of this Order is determined by a court of competent jurisdiction to be invalid or unenforceable, such determination shall not affect the validity or enforceability of any other part or provision of this Order.
10. No provision of this Order is intended to alter or amend any compacts, policies, legal authorization or opinions of the federal government regarding emergency management or homeland security.

So Ordered:



Donald L. Carcieri

Dated: 9/6/05